



GRASS VALLEY

City Council Regular Meeting, Capital Improvements Authority and Redevelopment "Successor Agency"

Tuesday, September 24, 2024 at 6:00 PM

Council Chambers, Grass Valley City Hall | 125 East Main Street, Grass Valley, California

Telephone: (530) 274-4310 - Fax: (530) 274-4399

E-Mail: info@cityofgrassvalley.com

Web Site: www.cityofgrassvalley.com

AGENDA

Any person with a disability who requires accommodations to participate in this meeting should telephone the City Clerk's office at (530)274-4390, at least 48 hours prior to the meeting to make a request for a disability related modification or accommodation.

**Mayor Jan Arbuckle, Vice Mayor Hilary Hodge, Councilmember Bob Branstrom,
Councilmember Haven Caravelli, Councilmember Tom Ivy**

MEETING NOTICE

City Council welcomes you to attend the meetings electronically or in person at the City Hall Council Chambers, located at 125 E. Main St., Grass Valley, CA 95945. Regular Meetings are scheduled at 6:00 p.m. on the 2nd and 4th Tuesday of each month. Your interest is encouraged and appreciated.

This meeting is being broadcast "live" on Comcast Channel 17 by Nevada County Media, on the internet at www.cityofgrassvalley.com, or on the City of Grass Valley YouTube channel at <https://www.youtube.com/@cityofgrassvalley.com>

Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to public@cityofgrassvalley.com. Comments will be reviewed and distributed before the meeting if received by 5pm. Comments received after that will be addressed during the item and/or at the end of the meeting. Council will have the option to modify their action on items based on comments received. Action may be taken on any agenda item.

Agenda materials, staff reports, and background information related to regular agenda items are available on the City's website: www.cityofgrassvalley.com. Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet will be made available on the City of Grass Valley website at www.cityofgrassvalley.com, subject to City staff's ability to post the documents before the meeting.

Please note, individuals who disrupt, disturb, impede, or render infeasible the orderly conduct of a meeting will receive one warning that, if they do not cease such behavior, they may be removed from the meeting. The chair has authority to order individuals removed if they do not cease their disruptive behavior following this warning. No warning is required before an individual is removed if that individual engages in a use of force or makes a true threat of force. (Gov. Code, § 54957.95.)

Council Chambers are wheelchair accessible and listening devices are available. Other special accommodations may be requested to the City Clerk 72 hours in advance of the meeting by calling (530) 274-4390, we are happy to accommodate.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

AGENDA APPROVAL - *The City Council reserves the right to hear items in a different order to accomplish business in the most efficient manner.*

REPORT OUT OF CLOSED SESSION

INTRODUCTIONS AND PRESENTATIONS

1. Nevada County Environmental Health Presentation on Microenterprise Home Kitchen Operations (MEHKO)

PUBLIC COMMENT - *Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to public@cityofgrassvalley.com. Comments will be reviewed and distributed before the meeting if received by 5pm. Comments received after 5pm will be addressed during the item and/or at the end of the meeting. Council will have the option to modify their action on items based on comments received. Action may be taken on any agenda item. There is a time limitation of three minutes per person for all emailed, voicemail, or in person comments, and only one type of public comment per person. Speaker cards are assigned for public comments that are on any items not on the agenda, and within the jurisdiction or interest of the City. Speaker Cards can be pulled until the opening of public comment at which time sign ups will no longer be allowed. These cards can be found at the City Clerks desk. If you wish to speak regarding a scheduled agenda item, please come to the podium when the item is announced. When recognized, please begin by providing your name and address for the record (optional). Thirty minutes of public comment will be heard under this item in order of the speaker card assigned and the remaining general public comments will be heard at the end of the meeting. We will begin with number one.*

CONSENT ITEMS - *All matters listed under the Consent Calendar are to be considered routine by the City Council and/or Grass Valley Redevelopment Agency and will be enacted by one motion in the form listed. There will be no separate discussion of these items unless, before the City Council and/or Grass Valley Redevelopment Agency votes on the motion to adopt, members of the Council and/or Agency, staff or the public request specific items to be removed from the Consent Calendar for separate discussion and action but Council action is required to do so (roll call vote). Unless the Council removes an item from the Consent Calendar for separate discussion, public comments are invited as to the consent calendar as a whole and limited to three minutes per person.*

2. Approval of the Regular Meeting Minutes of September 10, 2024.

Recommendation: Council approves minutes as submitted.

3. Bennett Street Bridge Maintenance Project - Authorization to Award Contract

CEQA: Categorically Exempt - Section 15301 "Existing Facilities"

Recommendation: That Council 1) award a contract for the Bennett Street Bridge Maintenance Project to Central Valley Engineering & Asphalt, Inc., 2) authorize the Mayor to execute the construction contract, subject to legal review, 3) authorize the City Engineer to approve construction change orders for up to 10% of the contract amount and 4) authorize the Finance Director to execute a Budget Amendment necessary to fund the project fully.

4. Initiate Annexation Proceedings and Approve the Boundary Map for Annexation of Loma Rica Ranch to the Residential Landscaping and Lighting District No. 1988-2

CEQA: Not a project.

Recommendation: That Council approve Resolution 2024-69, initiating annexation proceedings and approving the boundary map for Annexation 2024-01 of Loma Rica Ranch- into the Residential Landscaping and Lighting District No. 1988-2.

5. Appointment of Councilmembers for the Measure B Oversight Committee

CEQA: Not a Project

Recommendation: That the City Council appoint Measure B Oversight Committee member Haddock with a term ending in December 2026.

ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION OR SEPARATE ACTION AND / OR ANY ADDED AGENDA ITEMS

REORGANIZATION RELATED ITEMS

PUBLIC HEARING

ADMINISTRATIVE

6. Introduction of Ordinance No. 829 Increasing Compensation for Mayor and City Councilmembers

CEQA: Not a Project.

Recommendation: That the Council introduce the attached Ordinance No. 829, waive full reading, and read by title only.

BRIEF REPORTS BY COUNCIL MEMBERS

CONTINUATION OF PUBLIC COMMENT

ADJOURN

POSTING NOTICE

This is to certify that the above notice of a meeting of The City Council, scheduled for Tuesday, September 24, 2024, at 6:00 PM, was posted at city hall, easily accessible to the public, as of 5:00 p.m. Friday, September 20, 2024.

Taylor Whittingslow, City Clerk



GRASS VALLEY

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Tuesday, September 10, 2024 at 6:00 PM

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MINUTES

CALL TO ORDER

The meeting was called to order at 6:03 pm.

PLEDGE OF ALLEGIANCE

Mayor Arbuckle led the pledge of allegiance.

ROLL CALL

PRESENT

- Councilmember Bob Branstrom
- Councilmember Haven Caravelli
- Councilmember Tom Ivy
- Vice Mayor Hilary Hodge
- Mayor Jan Arbuckle

AGENDA APPROVAL -

A motion was made to approve the agenda as submitted by Vice Mayor Hodge, seconded by Councilmember Ivy.

Voting Yea: Councilmember Branstrom, Councilmember Caravelli, Councilmember Ivy, Vice Mayor Hodge, Mayor Arbuckle

REPORT OUT OF CLOSED SESSION

There was nothing to report out of the closed session.

INTRODUCTIONS AND PRESENTATIONS

1. Update on the Everhart structure Fire.
2. Grass Valley Animal Control Grant

PUBLIC COMMENT -

Virtual Public comments are attached.

In-person: Speakers #1-9 (Noted changes: No speakers for cards #2 & 8)

CONSENT ITEMS -

A motion was made to approve consent as submitted by Councilmember Branstrom, seconded by Councilmember Caravelli.

Voting Yea: Councilmember Branstrom, Councilmember Caravelli, Councilmember Ivy, Vice Mayor Hodge, Mayor Arbuckle

3. Approval of the Regular Meeting Minutes of August 13, 2024.

Recommendation: Council approve minutes as submitted.

4. Approval of the Special Meeting Minutes of August 22nd, 2024.

Recommendation: Council approve minutes as submitted.

5. Conflict of Interest Code Update

CEQA: Not a project

Recommendation: That Council approve the City Manager signing of the City of Grass Valley Biennial Notice and adopt the 2024 Conflict of Interest Code and corresponding Resolution 2024-68 approving changes to the code.

6. Pioneer Community Energy JPA Amendment

CEQA: Not a project

Recommendation: Adopt a Resolution of the City of Grass Valley Approving the Revised Second Amended and Restated Joint Powers Agreement for Pioneer Community Energy

7. Changing Historical Commission Meeting Times

CEQA: Not a Project

Recommendation: That Council adopt Resolution No. 2024-67 changing the regular meetings of the Historical Commission to 3:00 p.m. on the second Tuesday of each calendar month beginning October 1, 2024.

8. Habitat for Humanity - Approve Parcel Map

CEQA: Categorically Exempt - Class 15 "Minor Land Divisions"

Recommendation: That Council 1) approve the findings that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA); and 2) approve Parcel Map 24PLN-05; and 3) approve the Resolution 2024-70 accepting the public utility easements.

9. Administrative EMS Coordinator

CEQA: Not a project

Recommendation: That Council 1) approves the job description for Administrative EMS Coordinator, and 2) approves the associated salary schedule and Certificate and Educational Incentive pays for the Administrative EMS Coordinator position.

ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION OR SEPARATE ACTION AND / OR ANY ADDED AGENDA ITEMS

REORGANIZATION RELATED ITEMS

PUBLIC HEARING

10. Appeal of the Planning Commission’s denial of Use Permit applications for an exception to the multifamily covered parking requirement established in Section 17.36.040, Table 3-3 of the City of Grass Valley Municipal Code.

Recommendation: Based upon the evidence in the public record, and the Planning Commission’s 3:1 denial, staff recommends that the City Council take one of the following actions:

Option 1) Uphold the Planning Commission’s denial of Use Permit applications 24PLN-0008, -0009, and -0010; a) Deny the appeal and uphold the Planning Commission’s denial of the Use Permit applications for a reduction in covered parking requirements; b) Determine the proposed projects at 210 Sutton Way (24PLN-0008), 265 Sutton Way (24PLN-0009), and 228 Sutton Way (24PLN-0010) exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) and Guidelines, as detailed in the attached June 18, 2024 Planning Commission Staff Report; c) Uphold the Planning Commission’s finding for denial of the Use Permits, that “insufficient quantitative evidence was provided to document a need for a reduction of the covered parking standard;” and, d) Deny the Use Permits as presented in this Staff Report.

Option 2) Overturn the Planning Commission’s denial of Use Permit applications 24PLN-0008, -0009, and -0010; a) Uphold the appeal and overturn the Planning Commission’s denial of the Use Permit applications for a reduction in covered parking requirements; b) Determine the proposed projects at 210 Sutton Way (24PLN-0008), 265 Sutton Way (24PLN-0009), and 228 Sutton Way (24PLN-0010) exempt pursuant to Sections 15061(b)(3) and 15301 of the California Environmental Quality Act (CEQA) and Guidelines, as detailed in the attached June 18, 2024 Planning Commission Staff Report c) Adopt Findings of Fact as detailed in the June 18, 2024 Planning Commission Staff Report for approval of the Use Permits as presented in the Staff Report; and, d) Approve the Use Permits as presented in this Staff Report.

Option 3) Refer Use Permit applications 24PLN-0008, -0009, and -0010 to the Planning Commission for further consideration based on new or different evidence presented.

[Lucy Rollins, Senior Planner, gave the council an overview, and Cascade Housing presented to the Council.](#)

[Virtual public comments are attached. Public Comment: Matthew Coulter](#)

[The motion was made of option 1 to uphold the Planning Commission denial and deny the appeal by Vice Mayor Hodge and seconded by Councilmember Branstrom. Voting Yea: Councilmember Branstrom, Councilmember Caravelli, Councilmember Ivy, Vice Mayor Hodge, Mayor Arbuckle](#)

11. Supplement to the Final Environmental Impact Report for the Approved Dorsey Marketplace Project

CEQA: Pursuant to the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) (“CEQA”) and the State CEQA Guidelines (Cal. Code Regs., tit.14, § 15000 et seq.), the City Council, at its April 28, 2020, regular meeting, certified a Final Environmental Impact Report (“EIR”) for the mixed-use development known as the Dorsey Marketplace Project (“Project”).

That City Council action, along with the City Council’s approval of the Project, was subsequently challenged in court, with the ultimate result being that the City needed to make only minor changes to the original 2020 EIR. The required changes are set forth in

documents from both the Court of Appeal and the Nevada County Superior Court, namely, a Modified Opinion from the Court of Appeal and a Revised Judgment and Peremptory Writ of Mandate from the superior court. These documents ordered the City to prepare further analysis of the extent to which Project-related traffic added to anticipated 2035 traffic on State Route ("SR") 20/49 could result in adverse health effects on future Project residents and occupants.

In response to these judicial directives, the City prepared a Supplement to the Final EIR ("SFEIR"). The Draft SFEIR was circulated for public comment, and a Final SFEIR is now ready for City Council consideration and certification.

Recommendation:

- 1) Conduct the public hearing regarding the Supplement to the Final Environmental Impact Report for the Dorsey Marketplace Project
- 2) Adopt Resolution No. 2024-66 certifying the updated Final Environmental Impact Report for the Dorsey Marketplace Project, thereby (i) determining that the deficiency in the Final EIR identified in the Modified Court of Appeal Opinion and Revised Judgment has been remedied, (ii) further determining that a new 2024 Final EIR, consisting of (a) the 2020 Final EIR, (b) the Draft FSEIR, and (c) responses to comments on the Draft FSEIR and related corrections, is legally adequate under CEQA, and (iii) permitting the implementation of any and all previously suspended Project activities and Project Approvals, subject to authorization by the superior court

Amy Wolfson, City Planner, presented this item to the Council, and David Ruderman, Assistant City Attorney, gave an overview of precisely what the council would be discussing and looking at per the Court order from the court of appeal.

Public Comment: Sean Johnson, Patrick Johnson, Martin Wood, Robin Davis, Jay Strous, Gil Mathew, Holly Navo, Theresa Detra, Barbra Bashall, James Stewart, Greg Rush, Barbra Ravines, Don Ravines, Ray Burnes, Star Carol, Sherly Osgood, & Matthew Coulter.

Virtual public comment is attached.

The motion was made to 1) Conduct the public hearing regarding the Supplement to the Final Environmental Impact Report for the Dorsey Marketplace Project; 2) Adopt Resolution No. 2024-66 certifying the updated Final Environmental Impact Report for the Dorsey Marketplace Project, thereby (i) determining that the deficiency in the Final EIR identified in the Modified Court of Appeal Opinion and Revised Judgment has been remedied, (ii) further determining that a new 2024 Final EIR, consisting of (a) the 2020 Final EIR, (b) the Draft FSEIR, and (c) responses to comments on the Draft FSEIR and related corrections, is legally adequate under CEQA, and (iii) permitting the implementation of any and all previously suspended Project activities and Project Approvals, subject to authorization by the superior court by Councilmember Branstrom and seconded by Councilmember Caravelli. Voting Yea: Councilmember Branstrom, Councilmember Caravelli, Councilmember Ivy, Vice Mayor Hodge, Mayor Arbuckle

A break was taken at 8:21 pm, and the meeting was called back to order at 8:28 pm.

ADMINISTRATIVE

12. Main St Sealing And Striping - Authorize Bidding and Approve Design

CEQA: Categorically Exempt - Section 15301 “Existing Facilities”

Recommendation: That Council 1) approve the findings that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA); 2) provide direction to Staff on several design proposals; and 3) authorize the advertisement for bids.

Bjorn Jones, the City Engineer, gave the presentation to the Council.

Public Comment: Jacob McDonald, Sean, Patrick Johnson, Robin Davis, John Moser, Matthew Coulter

Motion made to move forward with option 1, look for a funding source for option 3, keep the crosswalk at the intersection of East Main St and South Auburn, and 1) approve the findings that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA); 2) provide direction to Staff on several design proposals; and 3) authorize the advertisement for bids by Vice Mayor Hodge, Seconded by Councilmember Caravelli.

Voting Yea: Councilmember Branstrom, Councilmember Caravelli, Councilmember Ivy, Vice Mayor Hodge, Mayor Arbuckle

13. Discussion on City Council Compensation

CEQA: Not a Project

Recommendation: That the Council considers the information provided and provides direction to staff on how to proceed.

Tim Kiser, City Manager, gave the council an overview of the item.

Public comment: Sean, Patrick Johnson, Robin Davis

The council directed staff to bring back to the council an ordinance to raise the council's monthly salary to \$550 for the council and \$600 for the Mayor.

BRIEF REPORTS BY COUNCIL MEMBERS

Councilmember Branstrom attended the Magical Evening on Mill. Councilmember Ivy attended the Magical Evening on Mill and the Nevada County Community Foundation Home meeting. Councilmember Caravelli attended an ERC meeting, a Lou Countor Memorial partnership meeting, and a community fire discussion and announced that the ERC Summit is on September 19th. Vice Mayor Hodge attended a choir rehearsal and the Magical Evening on Mill. Mayor Arbuckle attended a conference in Puerto Rico, was invited to attend a CSAC meeting, participated in the Magical Evening on Mill, a Lou Countor memorial partnership meeting, and the 9/11 ceremony will happen at 9:01 am on Mill Street.

CONTINUATION OF PUBLIC COMMENT

ADJOURN

The meeting adjourned at 9:52 pm.

Jan Arbuckle, Mayor

Taylor Whittingslow, City Clerk

Adopted on: _____



9/10/2024

Item # 2.

CITY OF GRASS VALLEY CITY COUNCIL MEETING

GENERAL PUBLIC COMMENT SIGN IN SHEET

WELCOME to the City of Grass Valley City Council meeting! Public Comments provide an opportunity for the public to address the City Council on any subject which is not on the agenda but in the jurisdiction of the council. If you wish to speak, please indicate in the appropriate box when you sign in and take the number corresponding to your name. Each individual can have up to 3 minutes of public comment. At the beginning of the meeting, there will be an allotted 30 minutes of general public comments and the remainder of comments will be heard at the end of the agenda. Speakers will be called in order of the numbers given.

When you are recognized by the mayor:

1. Please stand before the podium and give your name and address. (optional)
2. Please limit your comments to three minutes per speaker.
3. If previous speakers have made the same point, you may simply indicate your support or disagreement, unless you have new information.

Thank you for your participation.

#'s	Print Name or N/A	Address (optional)	Self/Business (optional)
1	Shirley	GV	
2	BARBARA	GV	
3	Tim McCall	GV	
4	David Whitney	GV	
5	Jeffrey Gohesman	NC	Nevada Justice Ctr. Nevada
6	Robin Davie / Barbara Behrler		GV CHAMBER / GVDA
7	Liz N.	GV	
8	Wanda Thomas	GV	
9	Jonathan Keen		
10			
11			
12			
13			
14			



PO Box 972, Cedar Ridge, CA 95924-0972
www.cea-nc.org / email: info@cea-nc.org

My name is Don Rivenes and I live in Grass Valley. I am a member of CEAF.

The SFEIR dealt with mobile sources of air pollution. It should also have dealt with the cumulative impacts of stationary sources of air pollution from project buildings.

CPUC President Michael Picker recently said: Twenty-five percent of total emissions in California are from the use of natural gas in homes and buildings. The tens of millions of natural gas appliances currently operating in California represent a significant source of greenhouse gas emissions and indoor air pollution”.

California Air Resources Board staff on Monday made a local presentation on its proposed new *zero carbon* standards for purchase of new space and water heaters in California starting in 2030.

The Grass Valley Energy Action Plan says: “The City should incorporate zero net energy (ZNE) incentives and resources into the local design and building networks outreach. Highly energy-efficient technologies including HVAC should then be applied along with metering equipment.”

The UCLA Fielding School of Public Health found that if all residential gas appliances were replaced by clean electric models, the reductions of NOx and particulate matter in the outdoor air would lead to 354 fewer deaths each year.

Alternative B's contribution to GHGs is cumulatively a significant and unavoidable impact. Though most of the emissions come from mobile sources, natural gas and electricity contribute 700 MT CO₂e. The gas emissions would be eliminated with all-electric buildings.

The Grass Valley Planning Commission passed a condition on Dorsey that stated: "The building plans shall show that all the units in the apartment buildings include electric space heating and electric water heaters."

The Applicant asked the condition to be removed stating: “With all-electric heating and appliances, renters are at the mercy of PG&E and mother nature. When PG&E has a (planned or unplanned) power outage, tenants will not have the ability to bathe or wash their hands with hot water, prepare a meal, or heat their home.”

This is misleading. Heating the apartment with a gas furnace does not solve the outage problem since there are several components of a gas furnace that operate on electricity.

Temporary loss of bathing or preparing meals during an outage are a minor inconvenience compared to the year-round elimination of methane and other air pollutants. By the way, one-fourth of all U.S. homes are all-electric.

CEAF asks that all-electric housing be reinstated for this project. We also ask the developer to provide “net-zero” energy in all-electric commercial buildings. The dollar savings from not installing gas lines for the project can be used to provide backup storage.

Acting now immediately provides all the zero net-energy benefits and avoids the cost of extensive retrofitting to meet near-future zero net-energy laws.

Taylor Day

From: Janet Goodban [REDACTED]
Sent: Tuesday, September 10, 2024 10:24 AM
To: Public Comments
Subject: Dorsey Marketplace

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hello,

I won't be able to attend the meeting tonight, but wanted to let you know I do NOT approve of the Dorsey Marketplace due to environmental concerns. We just narrowly did away with the mine being reopened, and now have this to contend with.

This will change not only the landscape of our beautiful town forever, but will cause air quality decline, traffic snarls, noise and pollution, and I'm afraid it will negatively impact our downtown businesses that are already struggling.

People come up here to live in this gorgeous area of the foothills (I know I did over 20 years ago), not to just move to yet another city with traffic, noise and air pollution. Yes, it might be a little inconvenient to drive to Auburn to shop the larger stores, but is that really worth sacrificing the trees and the beauty of our small town? Let's try to keep it a city with a "small town feel" as long as we can, and not let money-hungry corporations change our scene forever.

PLEASE vote no on this project and please add this email to responses tonight!

Sincerely,

Janet Goodban
Grass Valley

Taylor Day

From: [REDACTED]
Sent: Tuesday, September 10, 2024 10:23 AM
To: COGV General Voicemail
Subject: New York HotDog Cart

You don't often get email from [REDACTED] m. [Learn why this is important](#)

I am in total support of the NYHDCo being on the corner of East Main and Presley, I have been working in the medical field around this area since 1998 and it is nice to have a place to grab a quick lunch and not have to stand in line at a restaurant. NYHDCo has a wonder owner and is very pleasant to chat with while getting lunch. Please let him continue to serve the public at this location. He has already jumped through the hoops of having to get the license with the City of Grass Valley.

Michelle Brady

Taylor Day

From: Michael Wilkie [REDACTED]
Sent: Sunday, September 8, 2024 8:48 AM
To: Public Comments
Cc: Tim Kiser
Subject: Deny CHA Carports Appeal

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

To: the Grass valley City Council

In this case it would be wrong to countermand the Planning Commission and the appeal should be denied.

CHA is not a local Mom & Pop apartment operator. It's a sophisticated conglomerate operating 21 apartment complexes with thousands of units. They knew or should have known that full replacement insurance coverage was needed. They benefitted from years low premiums being under-insured. Poor business practice on their part is no reason they should be allowed to shirk their obligation to the City

While technically a non-profit, that does not mean CHA works for free and doesn't get paid. There are fees for management, collection, applications, credit reports and the list goes on. And how about over-rides on vendors, subcontractors and capital improvements. Then there's the employee costs, it would be very telling to see how much the compensation packages for Isham and Ragsdale are.

Like a Home Owners Association with the Sterling-Davis Act, CHA should have been setting aside reserve funding for such things as roofs, windows, cabinets, appliances and yes, carports. Poor business practice on their part is no reason they should be allowed to shirk their obligation to the City.

They snoozed on FEMA repair grants, which they knew or should have known about.

Tenants expect car ports and they add to the visual appeal instead on just more plain asphalt. Not having them degrades our community

They illegally demolished the damaged car ports, deceptively running roughshod over our Community.

They already rec'd \$484,000 of insurance money for the carports. If they don't have to replace the carports, will whatever is left over after the cost of demolition be a windfall?

Using Senate Bill 721 as an excuse is immaterial smokescreen. It's completely unrelated and they have not even come forth with any improvements will be required.

For all the right reasons, the appeal should be denied.

Michael Wilkie
Grass Valley

Taylor Day

From: [REDACTED]
Sent: Friday, September 6, 2024 5:02 PM
To: Public Comments
Cc: Bjorn Jones; Tim Kiser
Subject: reduce speeds not crosswalks

You don't often get email from [REDACTED]. [Learn why this is important](#)

Hello,

I think I understand the pedestrian safety reasoning for potentially eliminating cross walks in downtown GV, but I don't agree with it. I'm thinking GV officials have really made a point of wanting to make downtown more pedestrian/wheelchair user friendly by establishing the fabulous area on Mill between Main and Neal to be car free. I ask that GV officials continue in that vein by forcing vehicle drivers to slow down and be much more attentive when driving on Neal, Main and Auburn Streets especially please!

Please have the speed limit lowered and speed humps installed throughout the area and make sure drivers know those lower speeds will be enforced. Change the stop light at Auburn and Main to be red for vehicles when the walk light is on in all directions! If drivers don't want to be "inconvenienced" by having to slow down and be attentive to more vulnerable transportation users then make it clear by signage, etc, to drive elsewhere to get through town. There should not be any reason to eliminate any downtown crosswalks which would inconvenience pedestrians and wheelchair users, especially when GV officials seem to want to draw more pedestrians and the like to downtown.

Doing the above would expand the walkability of downtown by blocks, inviting more people to shop, eat, drink and enjoy more events in the larger, safer area, utilizing even more of the wonderful "parklets" along Main St.

Thanks and Regards,

Mary Furney
Grass Valley

Taylor Day

From: Gary Baker [REDACTED]
Sent: Thursday, September 5, 2024 4:47 PM
To: COGV General Voicemail
Subject: Dorsey Marketplan - Am Alternative

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dorsey Marketplace – An Alternative

As the Dorsey Marketplace project returns again to the Grass Valley City Council, I had an idea to evaluate the current project against a “Conceptual” alternative project. The issues of the current proposal being discussed are related only to the air quality impacts. However the broader issues of traffic, the size of the commercial are other concerns raised by the community. The idea presented below compares the existing project with a “Conceptual” revised plan proposed with the intent of reducing air quality impacts and reducing traffic by reducing the size of the commercial area to 40,000 SF and adding additional housing. Both market rate and affordable housing were considered in the evaluation. We also examined the expected difference in tax revenues for the city, construction costs and the rate of return on investment for comparative purposes. One version of the conceptual plan included 50% of the housing units to be affordable and a 15% density bonus was included. The affordable units averaged 60% of market rate rents. When weighed against the current proposal there are more residential units and lower traffic impacts and far less CO2 emissions. However, both the original project and the “Conceptual” revised plan face concerns over low returns on investment.

“Conceptual” Revised Plan vs. Existing Plan

The “Conceptual” revised plan proposes reducing the **commercial space** from **104,350 square feet** to **40,000 square feet**, and with the **15% density bonus**, increases the residential units from **172 to 255**, of which **50% will be designated as affordable housing**. The existing plan, in contrast, offers a larger commercial footprint and **172 market-rate residential units**, creating a more immediate financial return through higher commercial activity.

Meager ROI for Both Projects

Both the “Conceptual” revised and current plans struggle to deliver strong financial returns. The current plan, with its mixed-use format of commercial and residential units, results in an **ROI of 0.85%**—well below the **8-12%** typically expected for such developments. The “Conceptual” revised plan, despite offering more units and addressing affordable housing needs, suffers from an even lower **ROI of 0.12%** due to reduced rental income from affordable units. Developers would need to rely heavily on **public funding**, including **Low-Income Housing Tax Credits (LIHTC)** and **Section 8 vouchers**, to offset the losses and improve financial viability.

Property Tax and Sales Tax Revenues to Grass Valley

The **city of Grass Valley** stands to benefit from both **property tax** and **sales tax** revenues, but the numbers vary between the two plans:

- **Current Plan (104,350 SF commercial + 172 residential units):**

- **Property Tax Revenue:** \$829,050 annually
- **Sales Tax Revenue:** \$365,225 annually (from commercial activity)
- **Total Annual Tax Revenue: \$1,194,275**
- **“Conceptual” Revised Plan (40,000 SF commercial + 255 residential units, 50% affordable):**
 - **Property Tax Revenue:** \$786,000 annually
 - **Sales Tax Revenue:** \$140,000 annually
 - **Total Annual Tax Revenue: \$926,000**

Despite the increased residential density, the smaller commercial component in the revised plan results in lower overall tax revenue for the city compared to the current project. The city would lose out on about **\$268,275 annually** if the “Conceptual” revised plan moves forward.

Traffic Impacts: Fewer Cars, More Units

A notable benefit of the “Conceptual” revised plan is its **reduced traffic impact**. With fewer commercial spaces and more residential units, the “Conceptual” revised project is expected to generate **3,376 vehicle trips per day (VTD)**, significantly lower than the **5,550 VTD** in the current plan. This **40% reduction** in total traffic is crucial for Grass Valley, which has struggled with congestion in the area. However, the “Conceptual” revised plan’s **255 residential units** could lead to some localized traffic issues, particularly around residential areas.

Greenhouse Gas / CO2 Impacts

The **environmental benefits** of the “Conceptual” revised plan extend beyond traffic. A reduced commercial footprint and a focus on residential development would lower **greenhouse gas (GHG) emissions**:

- **Current Plan:** Estimated **6,986 metric tons of CO2 annually**, driven by commercial activities and vehicle trips to the retail spaces.
- **“Conceptual” Revised Plan:** Estimated **3,395 metric tons of CO2 annually**, a **50% reduction** in emissions, thanks to fewer commercial vehicle trips and smaller retail spaces.

This significant drop in emissions makes the revised plan a more sustainable option for the long term, aligning with Grass Valley’s environmental goals.

Market-Rate Housing: More Profitable but Still Underwhelming

If the “Conceptual” project were to consist entirely of **market-rate housing**, the financial outlook would improve. In a scenario with **222 market-rate units** and **40,000 square feet of commercial space**, the “Conceptual” project’s **net income** would rise to **\$866,117 annually**, yielding a higher **ROI of 1.35%**. However, this still falls short of the expected ROI for mixed-use projects, reflecting the broader challenges in the local market.

While this “Conceptual” market-rate housing model is more profitable, it sacrifices the **social benefits** of affordable housing and still does not deliver the financial returns typically expected for mixed-use developments. Moreover, the **sales tax revenue** from the reduced commercial space remains low in both the affordable and market-rate scenarios, limiting the overall financial benefits to the city.

Balancing Social and Financial Goals

Grass Valley's decision on the **Dorsey Marketplace** project must balance the city's need for housing or affordable housing, reduced traffic congestion, and sustainability with the financial realities of the project. The "Conceptual" **revised plan** offers greater housing density and **significantly lower traffic and CO2 emissions**, but at the cost of **lower tax revenue** and **financial returns**.

In contrast, the "Conceptual" **market-rate housing option** is more profitable, offering a higher ROI, but fails to meet the city's broader social goals of housing affordability. As Grass Valley moves forward, it must decide whether to prioritize **affordable housing** and **sustainability**, or pursue a more **financially viable** but socially limited option.

Affordable Housing

In the calculations for the **affordable housing** component of the "Conceptual" revised Dorsey Marketplace plan, we used a **rent rate of 60% of the market rate** to represent affordable housing. This aligns with common affordable housing standards, where **affordable rent** is typically set at a percentage of the **Area Median Income (AMI)** and is priced below market-rate units.

For this "Conceptual" project:

- **Market-Rate Rent for High-Density Units:** \$1,800 per month.
- **Affordable Rent for High-Density Units:** 60% of market rate, or **\$1,080 per month**.

For **medium-density units**, the **market-rate rent** was set at **\$2,500 per month**, and the **affordable rent** was **\$1,500 per month** (also 60% of the market rate).

This affordable rent rate ensures that these units are within the **30% income threshold** for households classified as **low-income** or **very low-income**, helping to keep housing costs manageable for these income groups.

Conclusion:

The concepts presented herein are only ideas for comparing alternative projects and to evaluate the potential differences in traffic and CO2 emissions. We have not reviewed the eight years' worth of work that has gone into the current plan and we are not part of the development team. These suggested alternatives are provided in response to some of the community feedback on the project and the issues highlighted on traffic and air quality. Construction costs, traffic and CO2 figures are based on general information and not site specific data that was generated by detailed studies used in the EIR. Revenues are based on local market conditions.

The decisions to be made the City of Grass Valley on the project will have long-term implications, shaping the city's housing, economy, and traffic patterns for years to come.

Gary Baker, Grass Valley

gary@plan-aire.com

Taylor Day

From: Daniel J Desmond [REDACTED]
Sent: Thursday, September 5, 2024 11:20 AM
To: COGV General Voicemail
Subject: Dorsey Marketplace

You don't often get email from [REDACTED] [why this is important](#)

The Dorsey Marketplace project is flawed at many levels and from a community development perspective represents another scar on the community. I would like to register my strong opposition and hope that the City Planners will preserve the “heart” of our community and not sell it off to promote sprawl or growth at any cost.

Thanks for listening to my concerns.

Take care,

Daniel Desmond
10500 Hawke Lane
Nevada City CA 95959

PS: We live just outside the City limits but invest our time, energy and money in the City’s social, cultural and economic infrastructure.

Taylor Day

From: Gary Emanuel [REDACTED]
Sent: Saturday, August 31, 2024 2:06 PM
To: Public Comments
Cc: info@cea-nc.org
Subject: Comments on Dorsey Marketplace Project

You don't often get email from [REDACTED] [Learn why this is important](#)

Hello,

I have a comment on the proposed Dorsey Marketplace Project.

Based on the current levels of traffic congestion at the Brunswick/Hwy. 49 intersection due to the large shopping centers on either side, I would have thought that the City of Grass Valley would not have wanted to create another mess like this.

The Dorsey Marketplace Project would be even closer to a major freeway intersection with only a single access road to the intersection.

Please consider this issue and let's not add another traffic congestion area.

Regards,

Gary

Taylor Day

From: Marci Ficarra [REDACTED]
Sent: Wednesday, August 28, 2024 9:56 AM
To: Public Comments
Subject: Fwd: Speeding and crosswalks

You don't often get email from [REDACTED]. [Learn why this is important](#)

Has anyone seen this? Is there a better email to use?

Begin forwarded message:

From: Marci Ficarra [REDACTED]
Subject: Speeding and crosswalks
Date: August 26, 2024 at 2:15:54 PM PDT
To: public@cityofgrassvalley.com

I live on Rough and Ready near East drive. Most people exceed the 35 mph speed limit consistently. Even a Sheriff thought the speed limit was still 45 mph in that section. I cross that street every day to walk my dogs on the Wildflower Trail. In addition I have started using public transportation too.

I have a few suggestions for my safety and the safety of my neighbors.

- 1- install a flashing 35mph speed sign
- 2- put in a crosswalk on the corner that flashes when someone crosses
- 3- add speed bumps on both ends of the 35 mph zone
- 4- add a sign saying you're now entering Sunset View neighborhood please slow down to 35

You may have better ideas to address the issue of speeding and safety.

Thanks for your time.

Marci Ficarra
Sent from my iPhone

Taylor Day

From: Marci Ficarra [REDACTED]
Sent: Monday, August 26, 2024 2:16 PM
To: Public Comments
Subject: Speeding and crosswalks

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

I live on Rough and Ready near East drive. Most people exceed the 35 mph speed limit consistently. Even a Sheriff thought the speed limit was still 45 mph in that section. I cross that street every day to walk my dogs on the Wildflower Trail. In addition I have started using public transportation too.

I have a few suggestions for my safety and the safety of my neighbors.

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- 4- add a sign saying you're now entering Sunset View neighborhood please slow down to 35

You may have better ideas to address the issue of speeding and safety.

Thanks for your time.

Marci Ficarra
Sent from my iPhone

Taylor Day

From: WIRELESS CALLER - Voicemail box 8880 <noreply@voicemail.goto.com>
Sent: Monday, August 26, 2024 12:12 PM
To: Public Comments
Subject: Voicemail from [REDACTED] on Aug 26 2024 12:06 PM
Attachments: 1724699200-00001325.mp3



You received a new voicemail message



New voicemail message

Time: Monday, August 26 2024 12:06 PM

From: [REDACTED]

Duration: 3 minutes 33 seconds

Voicemail box: 8880

Transcript: Hi, my name is Robert Lewis. I'm calling about cutting the trees down. I live in grass Valley. Don't wish to leave a address at this time, but I've been walking there for several years in the park and all around the general area, Ulta street, um, ACRT trucks come in the morning every day. Now, uh, 30 to 50 trucks on a daily basis during the week. Um, they use it as their own personal yard, uh, to have, uh, meetings and then go out about their business, cutting trees down in the rest of the community. Um, also the police I've seen, uh, escorting people that are sleeping in the cars out of there now, um, that that was a public park, but it, but apparently the new law by Gavin Newsom is not making it illegal for that. So that's fine. I understand that, but as for the trees to be cut down, um, no, they want to make it more commercial. I understand they want to help out, uh, the, you know, gardens for the homeless and food. That's a great thing, but there's several other places besides the public park to do such a thing to take up more space for things like people being able to walk or have birthday parties, play at the park, play tennis, play soccer. I think that's what the

park is for, to hang out and enjoy it, not for commercial use or for nonprofit organizations to take over. If nonprofits want to buy a piece of land and grow stuff for the people, that would be an awesome thing. I'd contribute to that. Hopefully they can get a grant to buy such land, not a public park. The trees, it's a beautiful place to walk there, the shade, the quiet, walking around is a quarter mile. If you want to get your steps in, it's a great place. The atmosphere is great, except for these corporations like ACRT coming in there, and the police won't do anything about it because they have a right to be there because it's a park. Well, that's fine, but you want to cut down more trees and make it more commercial and businesslike, maybe I might want to find another place to walk. I don't find it very conducive to, you know, healthy atmosphere, having all these businesses use it, even, even nonprofit. I think it should not be a starting point for a business and then it'd take off because they don't want to rent a yard of their own. Like mountain enterprises, they rent a yard and have a meeting and park their trucks there. They do that and ACRT does not. I just wish that you wouldn't cut any more trees down or make that a commercial place. I mean, if there's an area that's available where you don't have to cut trees down, great. Use it for food and compost. That's a great idea. But I also see that you guys were bringing dirt for other construction projects for the city, and that's fine. They were tracking mud all around the streets. Trucks were being parked there, and they were leaving their trucks running because they were junky, and they couldn't start. They wouldn't start again. So they're deceling for over the 10 minutes, which is illegal. So I've seen a lot of legal activities and the city in the police has turned their eyes away from, as long as it's benefiting the city, but when it comes down to peace, please, um, you know, don't cut the trees down and I'm not a tree hugger. I done construction for 20 years. You got to sometimes cut trees down to build, but that's a park and it's beautiful and there's one pair of tree that produces and you, and guess what? Didn't even prune it properly. Well, I hope that this, you take this to heart. This is a heartfelt message that I'd like to see left unused by businesses and or cutting trees down for nonprofits in the community. There are plenty other pieces of land that can be used or grants be given to them to purchase land to do such a thing. Thank you for your time. Bye-bye.

[Rate this transcript's accuracy](#)



Taylor Day

From: PAULA DEGIORGIS - Voicemail box 8880 <noreply@voicemail.goto.com>
Sent: Monday, August 26, 2024 9:32 AM
To: Public Comments
Subject: Voicemail from [REDACTED] on Aug 26 2024 9:29 AM
Attachments: 1724689748-00000f7b.mp3



You received a new voicemail message



New voicemail message

Time: Monday, August 26 2024 9:29 AM

From: [REDACTED]

Duration: 1 minute 32 seconds

Voicemail box: 8880

Transcript:

I would like to see the no parking sign at the corner of Maryland Drive where it turns in a blind corner there just off of Bennett Street. If you turn left onto Maryland Drive from Titter, the first turn there, the road veers around to the right quite severely and going uphill and creates a blind corner there. And people have been parking on that corner. And you have to go way around their car into the opposite lane where someone else is coming around a blind corner. It's very dangerous. The sign is very faded. And the curb has not been painted red or not been painted red in so long that there is no evidence of red. And I have left notes on people's cars. I have tried talking to the folks who park there, and they were very aggressive with me, and it's creating a problem. So I would really like to see it be addressed sooner than later. My name is Paula DeGiorgis. I live on Maryland Drive at 417, and my phone number is 530-274-9839. Thank you.

Taylor Day

From: Sunchild's Parlour [REDACTED]
Sent: Tuesday, September 10, 2024 3:53 PM
To: Taylor Day
Subject: Agenda item: Mill/Main Crosswalk Proposal

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Taylor,

Thank you for all you do for Grass Valley and for taking the time to read this email.

I'm writing in regards to the most recent crosswalk proposal at mill and main streets. I would like to express my opposition to the proposed concept.

As a small business and building owner of 126 west Main Street, the last thing Main Street business need/want is to reduce the flow of pedestrian traffic from mill to main street. Many people already choose not to cross due to the visual segregation of the mill street plaza and the merchants across the street on Main Street. Taking out one crosswalk on one end and having one crosswalk exist on one corner limits pedestrian flow even more so. In addition, this concept doesn't allow for a continuous aesthetic appeal from both sides of the street.

My proposal is to create one wide and safe walking space existing directly in the middle of mill street, allowing and encouraging a continuous flow from Mill Street plaza to the opposite side of Main Street. With speed bumps and stop signs on each end, this would be a more concentrated focus on pedestrians, thus creating a safer space to cross the street.

Obvious changes that would need to be made on the Main Street side near the clock tower are the removal of the aesthetically unpleasant overgrown shrubbery "garden" and transplant of the hidden concrete Gv plaque/monument.

In an ideal scenario, we would continue the stamped concrete from mill into main but I understand that may not be in the city budget. Regardless, I believe this design would be more cohesive to what already exists on mill street and makes for a safer and alluring passage which would extend the "magic" of mill street to Main Street, something the businesses on Main Street very much need to survive.

Thank you for your time.

Sincerely,

Michael Latronica

Sunchild's Parlour
[REDACTED]

September 10, 2024

TO: The City Council of Grass Valley: Jan Arbuckle, Hilary Hodge, Bob Branstrom, Haven Caravelli, and Tom Ivey; City Hall, 125 East Main Street Grass Valley, CA 95945 (email addresses attached)

SUBJECT: Dorsey Market Project Comment

CC: Amy Wolfson, City Planner awolfson@cityofgrassvalley.com

FROM: Jim Bair, Former Grass Planning Commissioner, Business and Property Owner in the City of Grass Valley, and former Scientist;

RE: Four official documents:

- (1) Notice of Availability (NOP) of the 45-day Public Review of the Supplement to the Final Environmental Impact Report (SFEIR) for the Dorsey Marketplace Project
- (2) Dorsey Marketplace Final Environmental Impact Report (SCH # 2016022053), Cot. 2019; Dudek
- (3) Supplement to the Final Environmental Impact Report Dorsey Marketplace Project FEBRUARY 2024
- (4) Judgment and Peremptory Writ of Mandate in Case No. CU20-084791, Community Environmental Advocates, et al. v. City of Grass Valley, Nevada County Superior Court

These documents unequivocally represent that *impacts associated with air pollution and transportation were identified as significant and unavoidable*. There are no overriding considerations for “air pollution” and “transportation.”

Based on approximately 20 years of experience with CEQA and having been well received by elected Nevada County officials reviewing FEIR documents, I state to you and for the record that the environmental impacts generally described as *traffic* and *air pollution* require that the Dorsey Marketplace Project not be allowed to proceed in its current form.

The FEIR options apparently do not include the best option: limit the project to housing units only and do not approve any commercial/retail developments. While it’s very complicated, the Courts as well as the consultants mention the significant negative impacts of the project including the commercial/retail facilities at the Dorsey site.

Note that I have discussed the Project with some of you and understand that approval is a foregone conclusion. However, the impact on my community, my subdivision, and me of the increased traffic and pollution warrants submitting this comment for legal purposes. The impact alone on access to SNMH (to which I am a client advisor), its emergency facilities, and the new Urgent Care facility, is too dangerous to ignore.

If it would make a difference, I could provide analysis of the traffic especially at Catherine Lane and Dorsey Drive. I could also challenge CARB’s application of their own codes (e.g., PM-10, 5 or 2?).

Given that future challenges to this project in its current form requires commenting now, I respectfully submit this comment. The following copies of document sections with my inserted annotations highlight the unacceptability of the SFEIR/FEIR.

Respectfully,

/s/ Jim Bair (Leader, Sierra Ventana Architectural Control Committee)

128 Sierra Blanca Ct., Grass Valley, CA 95945

Attachments: Annotated copies of sections of the EIR documents and area roadway map

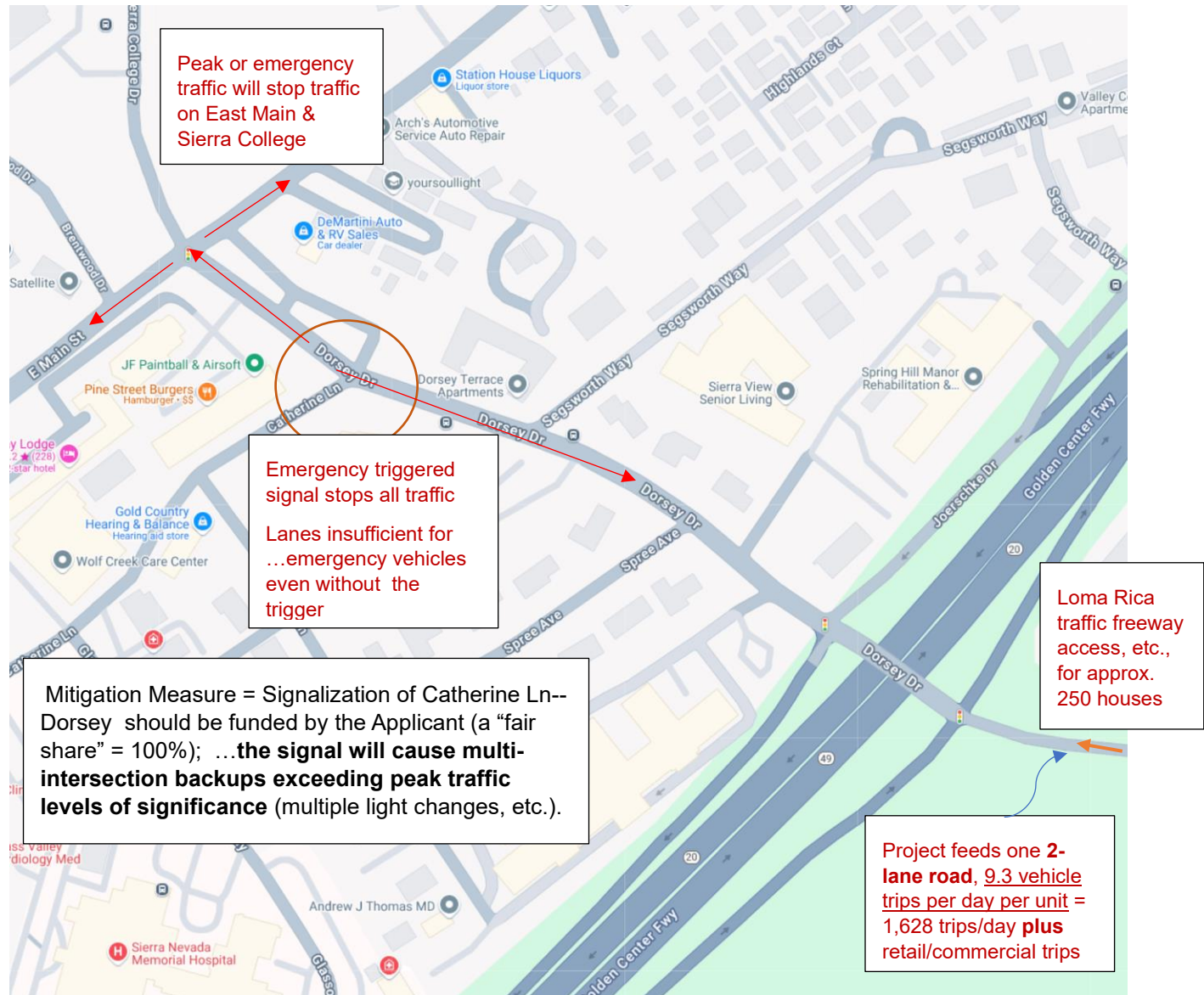
The SFEIR Includes: [Note: the SIER does not reference the *National Traffic Engineering Handbook*

Source Category	Advisory Recommendations
Freeways and High Traffic Roads	Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day.

DORSEY MARKETPLACE SUPPLEMENT TO THE FINAL EIR
FEBRUARY 2024

9478
2-13

SFEIR does not include Road Map of the Immediate Project Impact Area: [annotation = best projection viz documents]



ANNOTATED COPIED EIR SECTIONS:

"Rural" Freeway threshold is 50,000 trips per day – very high threshold of significance?

		Transportation		
8-1 Would the project result in an increase in traffic that is substantial in relation to the existing traffic volumes and capacity on SR 20/49?	Both Alternatives	Less than Significant	None Required	Less than Significant
8-2 Would the project result in an increase in traffic that is substantial in relation to the existing traffic volumes and capacity on City of Grass Valley roadways and intersections?	Alternative A	Potentially Significant	MM 8a: Under either Alternative A or Alternative B, prior to issuance of a building permit, the project applicant shall pay a fair-share contribution towards the construction of a larger concrete porkchop barrier within the existing acceleration lane to restrict all movements from the eastbound approach at the Idaho Maryland Road/ Brunswick Road intersection to right turns. <u>Additionally, under either Alternative A or Alternative B, prior to issuance of a building permit, the project applicant shall pay the City of Grass Valley Traffic Impact Fee, which includes a fair-</u>	Less than Significant

EXECUTIVE SUMMARY

**Table ES-2
Dorsey Marketplace Draft EIR Impacts and Mitigation Summary**

Impact Number and Title	Level of Significance before Mitigation		Mitigation Measures	Level of Significance after Mitigation
			share contribution towards signalization of this intersection consistent with the City's Capital Improvement Program. MM 8b: Under Alternative A and Alternative B, prior to issuance of a building permit, the project applicant shall pay the <u>Western Nevada County Regional Transportation Mitigation Fee, which includes a fair-share contribution towards the construction installation of either a traffic signal or a roundabout</u> at the Idaho Maryland Road/State Route 20/49 northbound ramps intersection, <u>consistent with the Western Nevada County Regional Transportation Mitigation Fee improvement program.</u>	
	Alternative B	Potentially Significant	MM 8a: (see above) (Note: MM 8b applies to Alternative B under Impact 8-9 but not under Impact 8-2.)	Less than Significant
8-3 Would the project increase impacts to vehicle safety due to roadway design features or incompatible uses?	Both Alternatives	No Impact	None Required	No Impact
8-4 Would the project result in inadequate emergency access or access to nearby uses?	Both Alternatives	No Impact	None Required	No Impact
8-5 Would the project create hazards or barriers for pedestrians or bicyclists?	Both Alternatives	Less than Significant	None Required	Less than Significant
8-6 Would the project conflict with adopted policies, plans, or programs supporting alternative transportation or otherwise decrease the performance or safety of such facilities?	Both Alternatives	Less than Significant	None Required	Less than Significant
8-7 Would the project cause a change in air traffic patterns, including either an increase in traffic	Both Alternatives	Less than Significant	None Required	Less than Significant

These impacts will be significant – the EIR Consultant has not observed the current unsafe, inadequate, hazardous traffic engineering.

Correct – Air traffic will not be significantly impacted – what was the consultant thinking?

Impact Number and Title	Level of Significance before Mitigation		Mitigation Measures	Level of Significance after Mitigation
levels or a change in location resulting in substantial safety?				
8-8 Would the project result in increased vehicle circulation or congestion due to a lack of sufficient parking capacity to support the proposed land uses	Both Alternatives	No Impact	None Required	No Impact
8-9 Would the project contribute to a cumulative increase in traffic that conflicts with adopted policies and plans related to intersection and roadway segment function, including consideration of LOS and ADT?	Alternative A	Potentially Significant	<p>MM 8a: (see above)</p> <p>MM 8b: (see above)</p> <p>MM 8c: Under Alternative A, prior to issuance of the first certificate of occupancy for the project site-building permit, the project applicant shall pay a fair share contribution towards the construction-install of a traffic signal at the Dorsey Drive/Catherine Lane intersection.</p> <p>MM 8d: Under Alternative A, prior to issuance of the first certificate of occupancy for the project site, the project applicant shall pay a fair share contribution towards the fully fund agency staff time needed to complete signal optimization of the Dorsey Drive/SR 20/49 SB/EB On-Ramp/Joerschke Drive traffic signal</p> <p>MM 8e: Under Alternative A or Alternative B, prior to issuance of a building permit, the project applicant shall pay the City of Grass Valley Traffic Impact Fee, which includes a fair share contribution towards the City's planned improvements construction of either a traffic signal or roundabout at the Dorsey Drive/Sutton Way intersection, consistent with the City's Capital Improvement Program.</p> <p>MM 8f: Under Alternative A, prior to issuance of a building permit, the project applicant shall restripe the southbound approach to the Idaho Maryland Road/Spring Hill Drive intersection to create a southbound right-turn pocket.</p> <p>MM 8g: Under Alternative A, prior to issuance of a building permit, the project applicant shall pay the City of Grass Valley Traffic</p>	Less than Significant

These mitigation measures are inadequate to reduce traffic impact from significant

Dorsey Marketplace Draft EIR
 March 2019, [revised October 2019](#)

9478
 ES-24

EXECUTIVE SUMMARY

**Table ES-2
 Dorsey Marketplace Draft EIR Impacts and Mitigation Summary**

Impact Number and Title	Level of Significance before Mitigation		Mitigation Measures	Level of Significance after Mitigation
			<p>Impact Fee, which includes a fair share contribution towards the construction-installation of a traffic signal or roundabout at the Bennett Street/SR 49/20 SB Off-Ramp/Tinloy Street intersection, consistent with the City's Capital Improvement Program</p>	
		Potentially Significant	<p>MM 8a: (see above)</p> <p>MM 8b: (see above)</p> <p>MM 8c: (see above)</p> <p>MM 8h: Under Alternative B, prior to issuance of the first certificate of occupancy for the project site, the project applicant shall pay a fair share contribution towards the signal optimization of the traffic signals at the Dorsey Drive/SR 20/49 SB Ramp/Joerschke Drive intersection and the Dorsey Drive/SR 20/49 NB Ramps intersection.</p>	Less than Significant

When the project reaches the certificate of occupancy stage, does the City have leverage to enforce these fees?

Council emails: tivey@cityofgrassvalley.com, jArbuckle@cityofgrassvalley.com, hHodge@cityofgrassvalley.com, bobb@cityofgrassvalley.com, hCaravelli@cityofgrassvalley.com

Taylor Day

From: James Bair [REDACTED]
Sent: Tuesday, September 10, 2024 4:02 PM
To: Public Comments
Subject: Fwd: Dorsey Market Project Comment
Attachments: Comment on Dorsey FEIR and Supplemental FEIR.pdf

You don't often get email from aristotle2001@gmail.com. [Learn why this is important](#)

From: James Bair [REDACTED]
Date: Tue, Sep 10, 2024 at 4:00 PM
Subject: Dorsey Market Project Comment
To: <tivey@cityofgrassvalley.com>, <jArbuckle@cityofgrassvalley.com>, <hHodge@cityofgrassvalley.com>, Bob Branstrom <bobb@cityofgrassvalley.com>, <hCaravelli@cityofgrassvalley.com>, Amy Kesler-Wolfson <awolfson@cityofgrassvalley.com>

Dear Council and Staff,

My public comment on the Project is copied here (letter in text form) and attached (as a PDF with images).

Thanks for your consideration.

Regards,

Jim Bair

Letter **without** attachments:

September 10, 2024

TO: The City Council of Grass Valley: Jan Arbuckle, Hilary Hodge, Bob Branstrom, Haven Caravelli, and Tom Ivey; City Hall, 125 East Main Street Grass Valley, CA 95945 (email addresses attached)

SUBJECT: Dorsey Market Project Comment

CC: Amy Wolfson, City Planner awolfson@cityofgrassvalley.com

FROM: Jim Bair, Former Grass Planning Commissioner, Business and Property Owner in the City of Grass Valley, and former Scientist;

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Respectfully,

/s/ Jim Bair (Leader, Sierra Ventana Architectural Control Committee)

128 Sierra Blanca Ct., Grass Valley, CA 95945

Attachments: Annotated copies of sections of the EIR documents and area roadway map

Taylor Day

From: Jacob McDonald [REDACTED]
Sent: Tuesday, September 10, 2024 4:58 PM
To: Taylor Day
Subject: Public comment on resurfacing W.Main by John McDonald of 241 N.Auburn

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Please consider the following in regards to the plans for resurfacing and redesign of W.Main in Downtown Grass Valley.

Read this please

I don not agree with the proposal to remove pedestrian crossings in downtown Grass Valley. Just because we are removing crossings where accidents to pedestrians have occurred does not qualify as making walking conditions more safe. I regularly walk and enjoy downtown and I do not want to loose access to my favorite business by having to walk 3 crossings instead of directly across the street. Please use traffic calming measures such as speed bumps, tightening the stopping lines with bump outs and or designing new striping to create awareness to motorists.

Please make downtown a pedestrian prioritization area where people shopping and enjoying life have priority without worrying about people in cars being the priority for maximizing travel time downtown.

Keep the all crossings! Improve the pedestrian experience with contemporary street design!!!
Integrate Main Street into the mill street experience ! - John McDonald 241 N.Aubrun



September 10, 2024

Dear Mayor Arbuckle, Vice Mayor Hodge,
Council Members Branstrom, Caravelli, Ivy,
City Planner Wolfson

Tonight you will consider certification of the Final EIR for the Dorsey Marketplace project. Within the project site is a 3.3 acre grove of MacNab Cypress, a species of tree that has recently been listed by the International Union for the Conservation of Nature as endangered. Only 28 groves remain and these are declining due to increased fire frequency and urban encroachment. Is it asking too much to consider them something of local value, to treasure and protect? The California Native Plant Society is a statewide organization representing over 13,000 members which utilizes the best available science for conservation in understanding a Statewide assessment of MacNab Cypress stands. Please protect this Grass Valley grove. If you deem this infeasible, please protect the grove until CNPS has had the opportunity to collect data on the grove including their genetic material and seed. This information is of global significance to science. .

The following was provided on September 9 to Leslie Warren, President of Redbud Chapter California NativePlantSociety by Kristen Nelson, CNPS Rare Plant Program Manager:

Background summary: "MacNab cypress was once considered one of our most common native cypress species, and it had not been on CNPS' radar until very recently. In Feb. 2024, Kyle Merriam (research ecologist with U.S. Forest Service) issued a *draft* assessment for the MacNab cypress using IUCN criteria, in which she assessed its status as Endangered. The main reasons behind this assessment: (1) only 28 remaining groves have been identified using best available current data; (2) the population trend is declining, largely due to increased fire frequency but also from fuels reduction and fire suppression activities, urban and commercial development, road maintenance, utility corridor maintenance, and OHV use. The remaining groves in the Sierra Nevada foothills are particularly small and vulnerable (the largest remaining stands are in the Inner North Coast Ranges). For these reasons, CNPS has just contracted with USFS to collect data on the remaining 28 groves and complete a status review. This work will take a couple years to complete."

**Excerpts from the Macnabiana ICUN study draft of February 2024:
(Page 1)**

Cupressus macnabiana - A.Murray bis
PLANTAE - TRACHEOPHYTA - PINOPSIDA - PINALES - CUPRESSACEAE - Cupressus -
macnabiana

Common Names: MacNab Cypress (English), Fragrant Cypress (English), Shasta Cypress (English)

Synonyms: *Hesperocyparis macnabiana* (A.Murray bis) Bartel

Taxonomic Note:

Note to be added explaining genus change

Red List Status

EN - Endangered, B2b(i,ii,iii,v)c(iv) (IUCN version 3.1)

Red List Assessment

Assessment Information

Date of Assessment: 2023-07-26

Reviewed? Date of Review: Status: Reasons for Rejection: Improvements Needed: true 2023-07-27

Assessor(s): Merriam, K.

Reviewer(s): Thomas, P.

(Page 6)

Continuing Decline in Habitat

Continuing decline

in area, extent

and/or quality of

habitat?

...Yes Observed

Frequent, high severity fires have decreased the amount of habitat available by reducing the number of mature individuals and threatening populations with extirpation. Conversely, almost half of the known groves have not burned in recorded history and are unlikely to reproduce before they die. Continuing decline in area, extent, and quality of habitat is also occurring as a result of urban and commercial development, maintenance of roads and utility easements, recreational activities (e.g., OHV use), agricultural clearing, and other impacts described in the Threats section of this assessment.

(Pages 9-11)

Important Conservation Actions Needed

Conservation Actions Note...Site/area protection

...MacNab cypress does not have protected status at the federal, state or local level. Over half of the groves occur on private land. Recognizing the rarity of this species, and developing additional protections for conservation, are critical

2.1. Land/water management -

> Site/area management Targeted management, surveying and monitoring of MacNab cypress is needed to conserve this species. Management to reduce the risk of frequent, high

severity fire, including landscape level prescribed burning to reduce fire risk in adjacent vegetation types might benefit some populations, in addition to fire suppression to prevent wildfires from burning immature stands. Strict guidelines to prevent destruction of MacNab cypress during fuels treatments and wildfire suppression efforts are also necessary

2.2. Land/water management

-> Invasive/problematic species control

Measures to reduce dispersal and establishment of invasive species, particularly nonnative annual grasses that can significantly alter fire regimes, are necessary to reduce the risk of frequent fire that can eliminate MacNab cypress populations. These measures could include minimizing disturbance and restricting OHV use around MacNab cypress groves.

3.4.2. Species management ->

Ex-situ conservation ->

Genome resource bank

Range wide cone collection efforts and seed banking for Macnab cypress is a critically needed conservation action for this species. Studies of genetic diversity and structure among groves would help inform efforts to reestablish populations that are extirpated...pression efforts

4.3. Education & awareness ->

Awareness & communications

Promoting awareness of the rarity of MacNab cypress among federal, state, and local land managers as well as the general public to prevent unintentional impacts and develop effective avoidance and mitigation measures would be an important conservation action for this species

5.2. Law & policy -> Policies and regulations

Recognition of the rarity and threats faced by MacNab cypress by federal, state, and local agencies would drive the development of targeted surveying, monitoring and management plans that promote the conservation of this species

5.3. Law & policy -> Private sector standards & codes

Developing standards and codes for management of MacNab cypress and the large number of rare species associated with their habitat would help reduce impacts to these species on private lands where 17 (59%) of groves are located

5.4.3. Law & policy -> Compliance and enforcement -> Sub-national level

Even when avoidance and mitigation measures are in place, a number of MacNab cypress groves have been negatively impacted by fuels management and wildland fire suppression efforts. Improved compliance and enforcement of avoidance and mitigation measures developed for this species would help to reduce these impacts

Bibliography

- California Native Plant Society [CNPS]. 2023. Calscape range map for Macnab cypress. Available at: <https://calscape.org/Hesperocyparis-macnabiana>. (Accessed: July 20, 2023).
- Callahan, F. 2013. Cypress species in Oregon. *Kalmiopsis* 20:16–25 20: 16-25.
- D'Antonio, C. M. and P. M. Vitousek. 1992. Biological invasions by exotic grasses, the grass/fire cycle, and global change. *Annual review of ecology and systematics* 23(1): 63-87.
- Farjon, A. 2005. *A Monograph of Cupressaceae and Sciadopitys*. Royal Botanic Gardens, Kew.
- Farjon, A. 2010. *A Handbook of the World's Conifers*. Koninklijke Brill, Leiden.
- Griffin, J.R. and Critchfield, W.B. 1972. The distribution of forest trees in California. USDA Forest Service, Research Paper PSW-82 (reprinted with supplement, 1976). Pacific Southwest Forest and Range Experiment Station, Berkeley, CA.
- Griffin, J.R. and Stone, C.O. 1967. McNab cypress in northern California: a geographic review. *Madrono* 19(1): 19-27.
- IUCN Standards and Petitions Committee. 2022. Guidelines for Using the IUCN Red List Categories and Criteria. Version 15.1. Prepared by the Standards and Petitions Committee. IUCN. Available at: <https://www.iucnredlist.org/documents/RedListGuidelines.pdf>.
- IUCN. 2021. Mapping standards and data quality for the IUCN Red List Spatial Data, Version 1.19. Available at: <https://www.iucnredlist.org/resources/mappingstandards>.

- Keeley, J. E. and C. J. Fotheringham. 2000. Role of fire in regeneration from seed. In: Fenner, M. (ed.), *Seeds: the ecology of regeneration in plant communities*, pp. 311-330. CABI International Publishing, Wallingford, UK.
- Kruckeberg, A.R. 1984. *California serpentes*. University of California Press, Berkeley, California, USA.
- Kruckeberg, A.R. 2002. *Geology and plant life: the effects of landforms and rock types on plants*. University of Washington Press, Seattle, Washington.
- Lanner, R.M. 1999. *Conifers of California*. Cachuma Press, Los Olivos, California.
- Mallek, C. 2009. Fire history, stand origins and the persistence of McNab Cypress, Northern California. *Fire Ecology* 5(3): 100-119.
- Ne'eman, G., C. Fotheringham, and J. Keeley. 1999. Patch to landscape patterns in post fire recruitment of a serotinous conifer. *Plant Ecology* 145: 235-242.
- Raven, P. H. and D. I. Axelrod. 1978. *Origins and relationships of the California flora*. University of California Publications in Botany. Vol.72. University of California Press, Berkeley, California.
- Safford, H. D., J. H. Viers and S. P. Harrison. 2005. Serpentine endemism in the California flora: a database of serpentine affinity. *Madrono* 52(4): 222-257.
- Sawyer, J.O., T. Keeler-Wolf, and J.M. Evens. 2009. *A manual of California vegetation*. California Native Plant Society, Sacramento, California.
- Sims, SA, Hilberg LE, Reynier WA, Kershner JM. 2019. *Knobcone Pine and Cypress Species: Northern California Climate Change Vulnerability Assessment Synthesis*. Version 1.0. EcoAdapt, Bainbridge Island, WA.
- Skinner, M.W., and B.M. Pavlik, eds. 1994. *California Native Plant Society's Inventory of rare and endangered vascular plants of California*. California Native Plant Society, Sacramento, CA.
- Thorne, J. H., Boynton, R. M., Holguin, A. J., Stewart, J. A., and Bjorkman, J. 2016. 2019. *A climate change vulnerability assessment of California's terrestrial vegetation*. California Department of Fish and Wildlife, Sacramento, California.
- US Geological Survey [USGS]. 2023. *National Geologic Map Database*. Available at: https://ngmdb.usgs.gov/ngmdb/ngmdb_home.html. (Accessed: July 20, 2023).
- USDA Forest Service [USFS]. *Existing Vegetation - CALVEG*, [ESRI personal geodatabase]. McClellan, CA.
- USDA-Forest Service, Pacific Southwest Region. Available at: <https://data.fs.usda.gov/geodata/edw/datasets.php?dsetCategory=biota>. (Accessed: July 20, 2023).

Vogl, R., W. Armstrong, K. White, and K. Cole. 1977. The closed-cone pines and cypresses. In: M. G. Barbour and J. Major (eds), Terrestrial vegetation of California, pp. 295-358. Wiley-Interscience, New York, New York.

Westerling, A. L. 2018. Wildfire simulations for California's fourth climate change assessment: projecting changes in extreme wildfire events with a warming climate. A report for California's fourth climate change assessment. .

California Energy Commission, Sacramento, California.

Wolf, C.B. 1948. Horticultural studies and experiments on the New World cypresses. *Aliso* 1: 325-438.



City of Grass Valley City Council Agenda Action Sheet

Title: Bennett Street Bridge Maintenance Project - Authorization to Award Contract

CEQA: Categorically Exempt - Section 15301 "Existing Facilities"

Recommendation: That Council 1) award a contract for the Bennett Street Bridge Maintenance Project to Central Valley Engineering & Asphalt, Inc., 2) authorize the Mayor to execute the construction contract, subject to legal review, 3) authorize the City Engineer to approve construction change orders for up to 10% of the contract amount and 4) authorize the Finance Director to execute a Budget Amendment necessary to fund the project fully.

Prepared by: Bjorn P. Jones, PE, City Engineer

Council Meeting Date: 9/24/2024

Date Prepared: 9/19/2024

Agenda: Consent

Background Information: The Bennett Street Bridge Maintenance Project involves the pavement resurfacing of a section of Bennett Street from East Main Street to Hansen Way. Project work includes pavement grinding, replacement and overlay, utility adjustments, pavement marking, and striping.

Bids were opened on September 3, 2024, and five bids were received. A bid summary is attached. Staff reviewed the low bid of \$137,390.00 submitted by Central Valley Engineering & Asphalt, Inc. and determined the bid to be complete and responsive.

Staff recommends that the Council award the construction contract to Central Valley Engineering & Asphalt, Inc., in the amount of \$137,390.00, authorize the mayor to execute the contract, and authorize the City Engineer to approve construction change orders up to 10% of the contract amount. Also requested is authorization of a Budget Amendment of \$40,000 in Gas Tax Funds to fully fund the project.

Council Goals/Objectives: The Bennett Street Bridge Maintenance Project executes portions of work tasks towards achieving/maintaining the Strategic Plan Goal - City Infrastructure Investment

Fiscal Impact: The Bennett Street Bridge Maintenance Project was budgeted at \$115,000 in the 24/25 FY CIP Budget, funded with a combination of Highway Bridge Program (HBP) funds and local gas tax funds. A budget amendment of \$40,000 in available Gas tax funds will fully fund the project.

Funds Available: Yes

Account #: 300-406-TBD

Reviewed by: City Manager

Attachments: Bid Summary

**BENNETT STREET BRIDGE MAINTENANCE PROJECT
PROJECT #21-07
BID SUMMARY**

Date: September 3, 2024; 3:30 p.m.

Engineer's Estimate: \$100,000

BIDDER	DATE/TIME REC'VD	AMOUNT
S.T. Rhoades Construction, Inc.	9/3/24, 3:12pm	\$182,290.00
Darren Taylor Construction, Inc.	9/3/24, 3:12pm	\$153,514.60
Consolidated Engineering, Inc.	9/3/24, 3:04pm	\$156,455.00
Central Valley Engineering, Inc	9/3/24, 3:06pm	\$137,390.00*
Hansen Bros. Enterprises	9/3/24, 3:07pm	\$165,254.00

*** Apparent Low Bidder**



City of Grass Valley City Council Agenda Action Sheet

Title: Initiate Annexation Proceedings and Approve the Boundary Map for Annexation of Loma Rica Ranch to the Residential Landscaping and Lighting District No. 1988-2

CEQA: Not a project.

Recommendation: That Council approve Resolution 2024-69, initiating annexation proceedings and approving the boundary map for Annexation 2024-01 of Loma Rica Ranch into the Residential Landscaping and Lighting District No. 1988-2.

Prepared by: Bjorn P. Jones, PE, City Engineer

Council Meeting Date: 09/24/2024

Date Prepared: 09/19/2024

Agenda: Consent

Background Information: On April 23, 2019, the City Council approved the Specific Plan and Tentative Map for the Loma Rica subdivision. In accordance with the conditions of approval, the developer must provide for a Landscaping and Lighting (L&L) District for the purpose of collecting fees for the operation and maintenance of the landscaping, street lighting and associated park facility improvements. This may be achieved by annexing the subdivision zone into the existing Residential Landscaping and Lighting District No. 1988-2.

On May 10, 2022, the Council adopted Resolution 2022-22, which previously initiated annexation proceedings and adopted a proposed Boundary Map. Since then, the Boundary Map has been updated to reflect the further proposed subdivision of some of the interior parcels, ultimately creating two hundred thirty-four (234) parcels to be annexed into the District. The revised Loma Rica Ranch L&L District Boundary Map is attached.

Staff recommends that the Council adopt Resolution 2024-69, initiating the L&L annexation proceedings and approving the proposed boundary map for the Loma Rica Ranch L&L District, Annexation 2024-01, to be established as Zone VI of the District. If approved, the City Engineer will file the map with the Nevada County Recorder and will prepare an Engineer's Report supporting proposed assessments for the new L&L District Zone.

Council Goals/Objectives: The initiation of annexation proceedings executes portions of work tasks towards achieving/maintaining the Strategic Plan—Transportation, Economic Development, Vitality, and High-Performance Government.

Fiscal Impact: All assessment revenues will be used exclusively for the benefit of the Landscape and Lighting District, with no net fiscal impact on the City budget.

Funds Available: N/A

Account #: N/A

Reviewed by: City Manager

Attachments: Boundary Map, Resolution

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY
INITIATING ANNEXATION PROCEEDINGS AND
APPROVING BOUNDARY MAP FOR ANNEXATION NO. 2024-1**

**CITY OF GRASS VALLEY
RESIDENTIAL LANDSCAPING AND LIGHTING DISTRICT NO. 1988-2
(ZONE VI – LOMA RICA RANCH ANNEXATION NO. 2024-1)**

WHEREAS, approval of the final map for the subdivision known as Loma Rica Ranch was conditioned upon the establishment by the developer of Loma Rica Ranch (“Developer”) of a mechanism to obligate the owners of the parcels to contribute to the cost and expense of maintenance and replacement of landscaping and street lights within the subdivision, including but not limited to landscaping, hardscaping and park facilities congruent with the landscaping, irrigation and lighting and the furnishing of water and electrical power for the landscaping and power to illuminate the street lights (the “Services”); and

WHEREAS, the City of Grass Valley (the “City”) has previously established a maintenance district known as the “Residential Landscaping and Lighting District No. 1988-2” (“AD No. 1988-2”) pursuant to the Landscaping and Lighting Act of 1972 (Sections 22500 and following, California Streets and Highways Code; hereafter the “1972 Act”), and at the request of the Developer, this City Council intends to assist the Developer in achieving satisfaction of said condition of approval by annexing the two hundred thirty four (234) parcels of Loma Rica Ranch to AD No. 1988-2 as authorized by the 1972 Act; and

WHEREAS, by this resolution, this Council hereby initiates the proceedings to annex the 234 Loma Rica Ranch parcels to AD No. 1988-2, to be known as and to comprise “Zone VI – Loma Rica Ranch ” of AD No. 1988-2 (the “Loma Rica Ranch Annexation 2024-1”), and directs the preparation and submission to the City Clerk of the City (the “City Clerk”) of a written report (the “Engineer’s Report”) respecting the proposed annexation and containing the matters required by the 1972 Act and by Section 4 of Article XIII D of the California Constitution (“Section 4 of Article XIII D”), as amplified by Section 53753 of the California Government Code (“Section 53753”); and

WHEREAS, a boundary map showing the territory proposed to be included in the Loma Rica Ranch Annexation, entitled “Boundary Map of Loma Rica Ranch Landscape and Lighting District No. 1988-2 Annexation No 2024-1 (Zone VII – Loma Rica Ranch)” has been filed with the City Clerk and has been submitted to this Council for approval;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRASS VALLEY, as follows:

1. That the foregoing statements are true and correct; and
2. This Council hereby initiates proceedings in accordance with the 1972 Act for the Ridge Village Annexation to AD No. 1988-2.
3. This Council hereby finds and determines that Annexation Map No. 2024-1 contains the matters and is in the form prescribed by Section 3110 of the California Streets and Highways Code, approves Annexation Map No. 2024-1 and adopts the boundaries shown thereon as describing the extent of the territory included within the Loma Rica Ranch Annexation to AD No. 1988-2. The City Clerk is hereby authorized and directed to certify the adoption of this resolution on the face of Annexation Map No. 2024-1 and to file a copy thereof with the Nevada County Recorder for placement in the Book of Maps of Assessment and Community Facilities Districts.
4. This Council hereby appoints the City Engineer as Engineer of Work for the subject annexation proceedings, and authorizes and directs the Engineer of Work to prepare and file with the City Clerk for submission to and consideration by this Council of the Engineer's Report respecting the proposed Loma Rica Ranch Annexation, containing the matters required by the 1972 Act, Section 4 of Article XIID and Section 53753.
5. The preliminary finding of special benefit to the 234 parcels comprising the proposed Loma Rica Ranch Annexation, implicit in the approval of Annexation Map No. 2024-1, is subject to further consideration by this Council on the basis of the Engineer's Report and such further information as may come to the attention of this Council, including but not limited to the evidence presented at the public hearing.

RESOLUTION 2024-69

Item # 4.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the City Council of the City of Grass Valley at a regular meeting thereof held on the 24th day of September 2024, by the following vote:

AYES:

NOES:

ABSTAINS:

ABSENT:

Jan Arbuckle, Mayor

APPROVED AS TO FORM:

ATTEST:

Michael G. Colantuono, City Attorney

Taylor Day, City Clerk

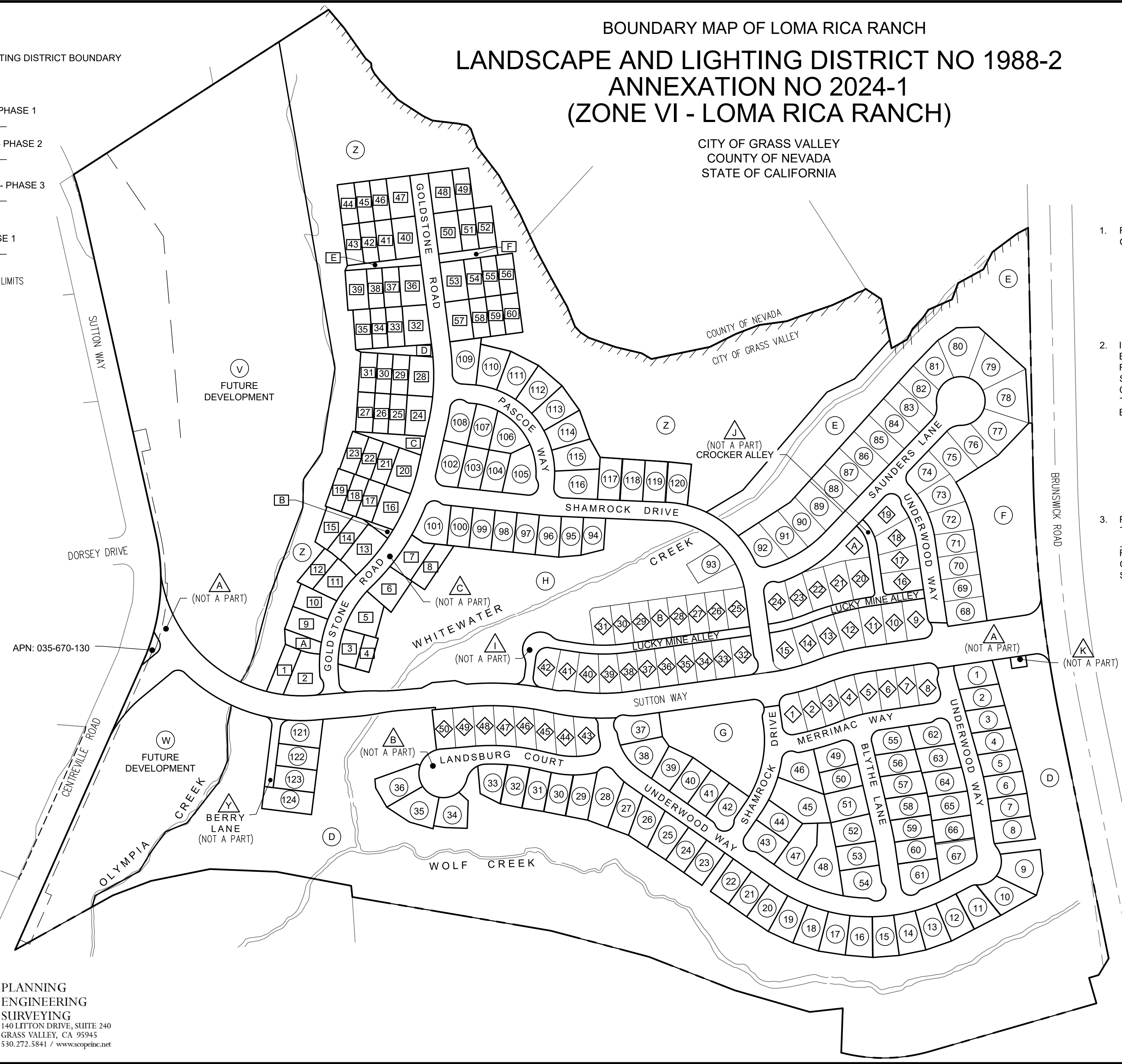
BOUNDARY MAP OF LOMA RICA RANCH

LANDSCAPE AND LIGHTING DISTRICT NO 1988-2 ANNEXATION NO 2024-1 (ZONE VI - LOMA RICA RANCH)

CITY OF GRASS VALLEY COUNTY OF NEVADA STATE OF CALIFORNIA

LEGEND

- LANDSCAPE AND LIGHTING DISTRICT BOUNDARY
- SUBDIVISION LOT NUMBER
- LOT - LOMA RICA RANCH PHASE 1 PER BK. ___ SUBD. PG. ___
- LOT - LOMA RICA RANCH - PHASE 2 PER BK. ___ SUBD. PG. ___
- LOT - LOMA RICA RANCH - PHASE 3 PER BK. ___ SUBD. PG. ___
- LOT - NOT A PART - LOMA RICA RANCH - PHASE 1 PER BK. ___ SUBD. PG. ___
- EXISTING CITY LIMITS



1. FILED IN THE OFFICE OF THE CITY CLERK THIS ____ DAY OF ____ 2024.

TAYLOR DAY
CITY CLERK
CITY OF GRASS VALLEY
STATE OF CALIFORNIA

2. I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING BOUNDARIES OF CITY OF GRASS VALLEY COMMUNITY FACILITIES DISTRICT NO. 2024 - ___, COUNTY OF NEVADA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL, OF THE CITY OF GRASS VALLEY AT A MEETING THEREOF, HELD ON THE ____ DAY OF ____ 2024, BY ITS RESOLUTION NO. 2024-_____.

TAYLOR DAY
CITY CLERK
CITY OF GRASS VALLEY
STATE OF CALIFORNIA

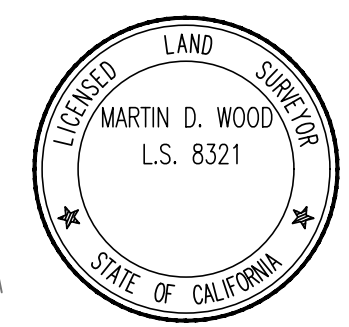
3. FILED THIS ____ DAY OF ____, 2024, AT THE HOUR OF ____ O'CLOCK, ____ M. IN BOOK ____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE ____ IN THE OFFICE OF THE COUNTY RECORDER, IN THE COUNTY OF NEVADA, STATE OF CALIFORNIA.

INSTRUMENT NUMBER:

GREGORY J. DIAZ, COUNTY RECORDER
DEPUTY, COUNTY OF NEVADA

PREPARED BY OR UNDER THE DIRECTION OF:

MARTIN D. WOOD P.L.S. 8321



SCO PLANNING ENGINEERING SURVEYING
 140 LITTON DRIVE, SUITE 240
 GRASS VALLEY, CA 95945
 530.272.5841 / www.scopeinc.net



City of Grass Valley City Council Agenda Action Sheet

Title: Appointment of Councilmembers for the Measure B Oversight Committee

CEQA: Not a Project

Recommendation: That the City Council appoint Measure B Oversight Committee member Haddock with a term ending in December 2026.

Prepared by: Taylor Whittingslow, City Clerk

Council Meeting Date: 9/24/2024

Date Prepared: 9/19/2024

Agenda: Consent

Background Information: In March of 2024, Grass Valley citizens voted to approve Measure B, a tax measure that implemented a 3/8ths percent City transaction and use (sales) tax. Measure B expands funding for such general fund purposes for Fire Resiliency and Vegetation Management. All Measure B funds stay local, and all expenditures are subject to an annual audit by an independent citizen oversight committee. See the City website at www.cityofgrassvalley.com for more information on Measure B.

The Citizen's Oversight Committee reviews an independent audit of tax receipts and how they are spent each year and advises the City Council on how tax money should be spent. The Council must discuss the audit results at a public meeting each year and post them on the City's website.

All city councilmembers are tasked with nominating one new Measure B Oversight Committee member, and they are as follows:

- Councilmember Hodge has nominated Grass Valley community member Heather Haddock's term ending December 2026.

Council Goals/Objectives: The Measure B Oversight Committee executes portions of work tasks to achieve/maintain the Strategic Plan—Open and Collaborative City Government.

Fiscal Impact: N/A **Funds Available:** N/A **Account #:** N/A

Reviewed by: ___ City Manager



City of Grass Valley City Council Agenda Action Sheet

Title: Introduction of Ordinance No. 829 Increasing Compensation for Mayor and City Councilmembers

CEQA: Not a Project.

Recommendation: That the Council introduce the attached Ordinance No. 829, waive full reading, and read by title only.

Prepared by: Timothy M. Kiser, City Manager

Council Meeting Date: September 24, 2024

Date Prepared: September 19, 2024

Agenda: Administrative

Background Information: In accordance with the City Charter, the City Council has the authority to establish the annual compensation for the Mayor, Vice Mayor, and Council Members by ordinance. However, any ordinance increasing compensation will not take effect until the terms of the Council Members elected at the next regular election commence. The compensation for Council Members must not exceed the maximum amount allowed under the Government Code for council members in general law cities of comparable size and is subject to periodic adjustments.

At the City Council meeting on September 10, 2024, the Council directed staff to prepare an ordinance to increase the compensation for the Mayor from \$300 to \$600 per month and for Council Members from \$275 to \$550 per month. This proposed increase remains well below the maximum allowable salary of \$950 per month, as set by SB 329. It is important to note that the compensation for the Mayor and City Council Members has not been updated since 2000.

Staff recommends that the City Council introduce Ordinance No. 829, waive the full reading and read by title only. A public hearing and second reading of the ordinance will be scheduled for October 8, 2024.

Council Goals/Objectives: This item executes portions of work tasks towards achieving/maintaining Strategic Plan - High Performance Government and Quality Service.

Fiscal Impact: The proposed increase in City Council compensation would result in an annual budget impact of \$16,800. This additional cost will be distributed across various funds, and there are sufficient resources available to accommodate the proposed increase.

Funds Available: Yes

Account #: Various Funds

Reviewed by: Tim Kiser, City Manager

Attachments: Ordinance 829

ORDINANCE NO. 829

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF GRASS VALLEY INCREASING
COMPENSATION FOR MAYOR AND CITY
COUNCILMEMBERS**

WHEREAS, Section 9 of Article VI of the Grass Valley City Charter authorizes the City Council to determine by ordinance the compensation of the mayor, vice mayor, and councilmembers, which may take effect upon the commencement of the terms of councilmembers elected at a regular election; and

WHEREAS, Section 9 of Article VI of the City Charter provides that councilmember compensation may not exceed the maximum amounts permitted by Government Code provisions for compensation of councilmembers in general law cities of comparable size to the City; and

WHEREAS, Government Code section 36516(a)(2)(A), as amended by Senate Bill 329 (2023), authorizes salaries for councilmembers in cities with populations up to 35,000 of up to \$950 per month;

WHEREAS, as the operative date of the last adjustment to mayor and councilmember compensation was in 2000, the City Council of the City of Grass Valley now finds increased compensation necessary and desirable to address rising inflation and costs of living and to ensure that Council service is not reserved to those who can afford it.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GRASS VALLEY:

SECTION 1. RECITALS. The above set forth recitals and findings are true and correct and incorporated herein by reference.

SECTION 2. CODE AMENDMENT. Section 2.02.020 of Chapter 2.02 of Title 2 of the Grass Valley Municipal Code is hereby amended to read as follows:

- A. The mayor shall receive the sum of ~~three~~ six hundred dollars each month as compensation for his or her services ~~as mayor~~.
- B. In addition to the monthly compensation set forth in subsection A of this section the mayor shall receive the actual and necessary expenses incurred in the performance of the duties as mayor.

SECTION 3. CODE AMENDMENT. Section 2.02.030 of Chapter 2.02 of Title 2 of the Grass Valley Municipal Code is hereby amended to read as follows:

- A. Members of the city council shall receive the sum of ~~two hundred seventy-five~~ five hundred fifty dollars each month as compensation for their services as councilmembers.
- B. In addition to the monthly compensation set forth in subsection A of this section members of the city council shall receive their actual and necessary expenses incurred in the performance of their duties ~~as councilmembers~~.

SECTION 4. CEQA Findings. This Ordinance is not a project within the meaning of Section 15378 of the California Environmental Quality Act (CEQA) Guidelines because it establishes compensation, with no potential to result in physical change in the environment, directly or indirectly. This Ordinance is also exempt under CEQA Guideline 15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or its application to any person or circumstance is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons and circumstances. The City Council of the City of Grass Valley declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be in full force and effect 30 days after its adoption under Section 2 of Article VII of the City Charter. However, the increased compensation provided by this Ordinance shall not take effect until the commencement of the terms of councilmembers elected or reelected at the regular election in the City on November 5, 2024.

SECTION 7. PUBLICATION. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published once in *The Union*, a newspaper of general circulation printed, published, and circulated within the City.

INTRODUCED and first read at a regular meeting of the City Council on the ____ day of _____ 2024.

FINAL PASSAGE AND ADOPTION by the City Council was at a meeting held on the ____ day of _____ 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

Jan Arbuckle, Mayor

ATTEST:

Taylor Whittingslow, City Clerk

APPROVED AS TO FORM:

Michael G. Colantuono, City Attorney